

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:14-00004

RICHARD M. RIGGALL

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On April 29, 2014, the United States of America appeared by Joshua C. Hanks, Assistant United States Attorney, and the defendant, Richard M. Riggall, appeared in person and by his counsel, Mary Lou Newberger, Assistant Federal Public Defender, for a hearing on the petition on supervised release submitted by United States Probation Officer Greg Swisher. The defendant commenced a three-year term of supervised release in this action on February 28, 2011, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on March 7, 2007.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the federal crime of possession with intent to distribute methamphetamine as evidenced by his guilty plea in this court on January 28, 2014, and the factual basis given in connection therewith, to the one-count information filed on January 23, 2014, in Case No. 2:14-00008 charging a violation of 21 U.S.C. § 841(a)(1); and (2) the defendant left the judicial district without permission inasmuch as he was being supervised in the Middle District of Florida and was found to be in the Southern District of West Virginia on July 2, 2013, when he was arrested for the conduct set forth above; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously

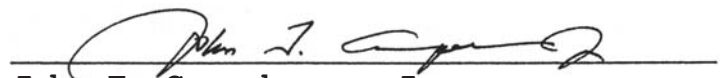
imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant is in need of correctional treatment which can most effectively be provided if he is confined, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWENTY-FOUR (24) MONTHS, to run consecutively to the 188-month term of imprisonment imposed in Criminal No. 2:14-00008.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 29, 2014

  
John T. Copenhaver, Jr.

3 United States District Judge